

KNI-162-A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Akedo et al.
 Serial Number: 10/070,104
 Filed: 19 February 2002
 Group Art Unit: Unknown
 Examiner: Unknown
 Confirmation Number: 9552
 Title: COMPOSITE STRUCTURE AND METHOD AND
 APPARATUS FOR FORMING THE SAME

**RESPONSE AND OBJECTION TO ERRONEOUS NOTIFICATION
 OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

Attention: Box PCT
 Commissioner For Patents
 Washington, D.C. 20231

Sir:

The Notification Of Missing Requirements under 35 U.S.C. 371 dated 07 May 2002 incorrectly states that a proper declaration has not been submitted for the referenced application. The notice further incorrectly states that a late surcharge of \$130.00 is now due.

Applicant respectfully objects to the requirement to file another declaration, and to the requirement to pay an unwarranted late surcharge, based on the following:

Applicant respectfully submits that two (2) original, signed declaration documents were filed concurrently with the application on 19 February 2002. Both declaration documents reference the same invention and the same Japanese and International priorities. One declaration document was prepared for and signed by the inventor residing in Ibaraki, Japan; another declaration document was prepared for and signed by the six inventors residing in Fukuoka, Japan. Between the two (2) documents, all seven (7) inventors were named and all seven (7) inventors' signatures were included. Thus, all inventors have executed a declaration of inventorship, as required under 37 CFR §1.497.

Enclosed are reduced copies of both signed declaration documents, and an enlarged copy

of the return receipt postcard acknowledging receipt of "Original Signed Declaration Documents" (emphasis added) at the United States Patent And Trademark Office effective 19 February 2002.

Because properly-executed declarations of inventorship for all inventors in the referenced case were filed by the applicant, and were timely received in the U.S. Patent Office concurrently with the application, applicant respectfully submits that no surcharge for late filing of same is now due. Applicant therefore requests reconsideration and withdrawal of the erroneous Notification Of Missing Requirements for the above-identified application.

Enclosed is a copy of the Notification Of Missing Requirements as required.

Favorable reconsideration is respectfully requested.

Sincerely,



William D. Blackman
Attorney for Applicant
Registration No. 32,397
(248) 344-4422

Customer Number 21828
Carrier, Blackman & Associates, P.C.
24101 Novi Road, Suite 100
Novi, Michigan 48375
14 May 2002

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Attention: Box PCT, Commissioner For Patents, Washington, D.C. 20231 on 14 May 2002.

Dated: 14 May 2002
WDB/km/*eb*
enclosures


Kathryn MacKenzie

Declaration and Power of Attorney For Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、氏名、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に關して書面記載に記述され、特許出願している発明内容について、私は発明者か唯一の発明者（下記の氏名が一つの発明）もしくは発明者かつ共同発明者であると（下記の名称が複数の発明）述べています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

COMPOSITE STRUCTURE AND METHOD AND

APPARATUS FOR FORMING THE SAME

上記発明の明細書（下記の欄で印が押していない場合は、本書に添付）は、

the specification of which is attached hereto unless the following box is checked:

☐ 月日に提出され、米国特許番号または特許係決定の通知書（出願番号）を、に訂正されました。

☐ was filed on _____ as United States Application Number or PCT International Application Number and was amended on _____ (if applicable).

私は、特許請求範囲を含む上記訂正の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understood the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則第37条第1条56項に定められるとおり、特許技術の発明について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Declaration Statement: This form is intended to take 6-8 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231.

Japanese Language Declaration (日本語宣言書)

私は、米国特許法第35条119条(a)-(d)項又は35条56(b)項に基づき下記の、米国以外の国の少なくとも一か国を指定している特許権力約855(a)項に基づき米国特許法、又は外国での特許出願もしくは発明者権の保護に関する他の国際条約をここに主要なものと、優先権を主張している。本出願の優先権は本出願と特許または発明者権の外国出願を以下に、特許をマークすることによって、示されています。

I hereby claim priority under Title 35, United States Code, Section 119 (a)-(d) or 3556(b) of any foreign application(s) for patent or inventor's certificate, or 3555(a) of any PCT international application which designated at least one country other than the United States, based before and before also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

外国での特許出願番号

PL7/3900/07076

(Number)

2001-289904

(Number)

(Number)

International

(Country)

Japan

(Country)

(Country)

12 October 2000

(Day/Month/Year Filed)

12 October 1999

(Day/Month/Year Filed)

(Day/Month/Year Filed)

Priority Not Claimed

優先権を主張しない

私は、第35条米国特許法119条(a)項に基づき下記の米国特許出願記載に記述された発明をここに主要なものとします。

I hereby claim the benefit under Title 35, United States Code, Section 119(a) of any United States provisional application(s) listed below.

(Application No.)

(Filing Date)

(Application No.)

(Filing Date)

(Application No.)

(Filing Date)

(Application No.)

(Filing Date)

(Application No.)

(Filing Date)

(Application No.)

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(Filing Date)

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Japanese Language Declaration (日本語宣言書)

委任状: 私は下記の発明者として、本出願に關する一切の事務を本特許係に關して進行する発明者または代理人として、下記の者を委任いたします。(発明者、または代理人の氏名及び住所を明記のこと)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) under power to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

Joseph P. Carrier, Reg. No. 31,748; William D. Blackman, Reg. No. 32,397

書翰送付先

Send Correspondence to:
CARRIER, BLACKMAN & ASSOCIATES, P.C.
24101 NOVI ROAD, SUITE 100
NOVI, MICHIGAN 48375

直接電話連絡先: (名前及び電話番号)

Direct Telephone Calls to: (name and telephone number)
JOSEPH P. CARRIER
248-344-4422

唯一または第一発明者名	Full name of sole or first inventor
発明者の署名	Signature of inventor
日付	Date
住所	Residence
国籍	Citizenship
勤務先	Post Office Address
第二共同発明者	Full name of second joint inventor, if any
第二共同発明者	Signature of second inventor
日付	Date
住所	Residence
国籍	Citizenship
勤務先	Post Office Address

(第三以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint inventors.)

Applicant: Akedo et al.

Docket: KUI-162-A

Serial No. Unknown For Composite Structure and Method and Apparatus
Forming the Same

Please date stamp, indicate serial number, and return this
Card to acknowledge receipt of:

- Application Transmitted under 35 USC 371 with:

- Application data sheet with:
 - Certificate of mailing
 - Notification of the Recording Fee Check
 - Copies of PCT documents
- Specifications, claims, abstract, drawings & photographs
- Original signed Declaration Documents
- Preliminary Amendment A with:
 - Certificate of mailing
 - Marked up and corrected specifications and claims
- Transmittal of Assignment with:
 - Certificate of mailing
 - Recordation Form Cover Sheet (2 pages)
- Original signed Assignment document (4 pages)
- Information Disclosure Statement with:
 - Certificate of mailing
 - Form PTO/SB/08A
 - listed references

10/070104

JC10 Rec'd PCT/PTO 19 FEB 2002

Mailed as Express Certificate ET98050964 US on 19 Feb 2002 JN



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/070,104	Akedo	KNI-162-A

INTERNATIONAL APPLICATION NO.

PCT/JP00/07076

I.A. FILING DATE	PRIORITY DATE
10/12/2000	10/12/1999

21828
 CARRIER BLACKMAN AND ASSOCIATES
 24101 NOVI ROAD
 SUITE 100
 NOVI, MI 48375

CONFIRMATION NO. 9552

371 FORMALITIES LETTER



OC000000008017689

Date Mailed: 05/07/2002

RECEIVED MAY 13 2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Assignee Statement
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- English Translation of the IA
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - All the inventors must be identified on all the declarations.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 20 months months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR

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<p>TO: BOX PCT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231</p>	<p>CARRIER, BLACKMAN & ASSOCIATES 24101 NOVI ROAD #100 NOVI, MICHIGAN 48375</p>
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10/070,104

J009 Rec'd PCT/PTO 05 JUN 2002



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